

1 PHILLIP A. TALBERT
2 United States Attorney
3 MATHEW W. PILE
4 Associate General Counsel
5 Office of Program Litigation, Office 7
6 Office of the General Counsel
7 Social Security Administration
8 MARGARET BRANICK-ABILLA
9 Special Assistant United States Attorney
10 6401 Security Boulevard
11 Baltimore, MD 21235
12 Telephone: (510) 570-4809
13 Email: Margaret.Branick-Abilla@ssa.gov
14 Attorneys for Defendant
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17 UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA
19

20 JOHN SILVA DIAS,) Case No. 1:22-cv-01452-GSA
21 Plaintiff,)
22 vs.) **STIPULATION TO VOLUNTARY
23 KILOLO KIJAKAZI, Acting) REMAND PURSUANT TO SENTENCE
24 Commissioner of Social Security,) FOUR OF 42 U.S.C. § 405(g); ORDER
25 Defendant.)
26)
27)
28)**

29 IT IS HEREBY STIPULATED, by and between the parties, through their respective
30 counsel of record, with the approval of the Court, that this action be remanded for further
31 administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
32

33 On remand, the Commissioner will offer Plaintiff the opportunity for a new hearing,
34 further develop the record as necessary, and issue a new decision.
35

36 The parties further request that the Clerk of the Court be directed to enter a final judgment
37 in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
38

39 Respectfully submitted,
40

1 Dated: May 9, 2023

LAW OFFICES OF FRANCESCO BENAVIDES

2 By: /s/ Francesco Benavides*

3 FRANCESCO BENAVIDES

4 Attorneys for Plaintiff

5 [*As authorized by e-mail on May 9, 2023]

6 Dated: May 12, 2023

7 PHILLIP A. TALBERT
8 United States Attorney

9 By: /s/ Margaret Branick-Abilla

10 MARGARET BRANICK-ABILLA

11 Special Assistant United States Attorney

12 Attorneys for Defendant

13 **ORDER**

14 Pursuant to stipulation, it is **ORDERED** that this action is remanded for further
15 administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the
16 Commissioner will offer Plaintiff the opportunity for a new hearing, further develop the record as
17 necessary, and issue a new decision.

18 The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and
19 against Defendant, reversing the final decision of the Commissioner

20 IT IS SO ORDERED.

21 Dated: May 12, 2023

22 /s/ Gary S. Austin
23 UNITED STATES MAGISTRATE JUDGE